

Remarks

Claims 1-4, 6, 8-12, 15 and 16 are pending. Claims 5, 7, 13, 14 and 17-24 were withdrawn from consideration and canceled. Claims 1-4, 6, 8-12, 15 and 16 are rejected. Claims 1, 4, 6, 8-12, 15 and 16 are amended.

Claim Amendments

Claim 1 is amended to include a polymer and to change the “substance” to a “material” and to clarify in which region the polymer is present. Support is found in the specification at page 13, lines 19-21 and page 14, lines 1-2. Claim 8 has also been amended to specify that the polymer is in the second region.

Claim 9 is amended to recite a topcoat. Support is found in the specification at page 13, lines 19-21 and page 14, lines 1-2.

Claims 4, 6, 12, and 15 are amended to clarify that only one type of polymer may be present.

Claims 10-12, 15 and 16 are amended to modify the preamble to conform with independent claim 9.

No new matter is added.

Telephone Interview

Applicants thank the Examiner for the telephone call on April 23, 2009 between the Examiner and Robert Auerbach discussing the status of the application as well as some of the fees charged to the application.

Rejections under 35 USC § 112

Claims 1-4, 6, 8-12, 15 and 16 are rejected under 35 USC § 112 first paragraph as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The amendments above to claims 1 and 9 obviate the rejections under 35 USC § 112, first paragraph. Withdrawal and reconsideration of the rejections are respectfully requested.

CONCLUSION

Withdrawal of the rejection and allowance of the claims are respectfully requested. If the Examiner has any suggestions or amendments to the claims to place the claims in condition for allowance, applicant would prefer a telephone call to the undersigned attorney for approval of an Examiner's amendment.

The undersigned authorizes the examiner to charge any fees that may be required or credit of any overpayment to be made to Deposit Account No. **07-1850**.

If the Examiner has any questions or concerns, the Examiner is invited to telephone the undersigned attorney at (415) 393-9885.

Date: June 16, 2009
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Respectfully submitted,

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